

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 8 USC §§ 1326 (a) and (b) --
 Deported Alien Found in the
 United States

e-filing

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 20 years imprisonment; \$250,000 fine; 3 years supervised
 release and \$100 special assessment
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Immigration and Customs Enforcement

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.
 Name and Office of Person
 Furnishing Information on
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

Wade M. Rhyne, AUSA

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
FILED

DEFENDANT - U.S.

DEC 20 2007

FILIBERTO MOLINA-SANTANA

RICHARD W. WIEKING

 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

DISTRICT COURT NUMBER

CR07-0808

CW

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges _____
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District) _____

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Santa Rita Jail

 Has detainer
 been filed? ☐ Yes ☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS*
☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION

VENUE: OAKLAND

CR07-0808

CW

UNITED STATES OF AMERICA,



v.

FILIBERTO MOLINA-SANTANA,
(a/k/a Filiberto Molina, a/k/a Omar Pineda,
a/k/a Filberto Pineda, a/k/a Juan Carlos Pineda),

FILED

DEC 20 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

E-filing

DEFENDANT.

INDICTMENT

8 U.S.C. §§ 1326(a) and (b) -- Deported Alien Found in
the United States

A true bill.


Foreman

Filed in open court this 20th day of
December, 2007

Clerk

Bail, \$ No bail must be set.
Wayne De Brazil 12/20/07

SCOTT N. SCHOOLS (SC 9990)
United States Attorney

E-filing

FILED

DEC 20 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CW

UNITED STATES OF AMERICA,

Plaintiff,

v.

FILIBERTO MOLINA-SANTANA
(a/k/a Filiberto Molina, a/k/a Omar
Pineda, a/k/a Filiberto Pineda, a/k/a Juan
Carlos Pineda),

Defendant.

Criminal No.: CR07-0808

VIOLATION: 8 U.S.C. §§ 1326(a) and (b) –
Deported Alien Found in the United States

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

1. Prior to August 22, 2005, the defendant, FILIBERTO MOLINA-SANTANA (a/k/a Filiberto Molina, a/k/a Omar Pineda, a/k/a Filiberto Pineda, a/k/a Juan Carlos Pineda), was convicted of at least one felony crime punishable by a term of imprisonment exceeding one year.

2. On or about August 22, 2005, the defendant, FILIBERTO MOLINA-SANTANA (a/k/a Filiberto Molina, a/k/a Omar Pineda, a/k/a Filiberto Pineda, a/k/a Juan Carlos Pineda), was removed, excluded, and deported from the United States.

INDICTMENT

3. After August 22, 2005, the defendant, FILIBERTO MOLINA-SANTANA
(a/k/a Filiberto Molina, a/k/a Omar Pineda, a/k/a Filiberto Pineda, a/k/a Juan Carlos Pineda),
knowingly and voluntarily reentered and remained in the United States.


4. On or about August 20, 2007, in the Northern District of California, the defendant,
FILIBERTO MOLINA-SANTANA
(a/k/a Filiberto Molina, a/k/a Omar Pineda, a/k/a Filiberto Pineda, a/k/a Juan Carlos Pineda),
an alien, was found in the United States without having obtained the express consent of the
Attorney General or the Secretary of the Department of Homeland Security to reapply for
admission into the United States, in violation of Title 8, United States Code, Sections 1326(a)
and (b).

//

DATED: December 20th 2007 A TRUE BILL.


FOREPERSON

SCOTT N. SCHOOLS
United States Attorney


W. DOUGLAS SPRAGUE
Chief, Oakland Branch

(Approved as to form: 
AUSA WADE M. RHYNE